

Written submission to the consultation on SEND Reforms: Putting children and young people first

About Kids

Kids is a national charity for disabled children, young people and their families. For more than 50 years, we have provided a wide range of services to disabled children and young people aged 0 – 25 years. We reach 22,000 young people each year through specialist services, supporting learning and development in the early years and beyond; providing play and social opportunities, including adventure playgrounds, playschemes, after school activities and youth clubs; and delivering family advice, crisis care, support and mediation services.

Kids welcomes the vision to create a SEND system in which every child can achieve and thrive. We fully support the Government's ambition to strengthen inclusion across every part of the education system and re-orient the system to focus on earlier identification and support.

Before the publication of the reforms, Kids set out a series of tests that must be met for reforms to deliver meaningful and sustainable change and create a successful SEND system:

- Are there clear, co-produced principles of inclusive mainstream education?
- Are education, health and social care held equally accountable for SEND provision?
- Do all children with SEND have their support set out in a legally binding plan, with a stronger legal basis for early intervention?
- Has comprehensive, hands-on SEND training been funded and included in professional training frameworks for education and early years staff?

'[Every Child Achieving and Thriving](#)' includes some first steps towards achieving these tests, including introducing Individual Support Plans (ISPs) for all children with SEND, making a significant commitment to system-wide training and professional development to strengthen SEND knowledge, and introducing funding to establish the Experts At Hand service. These measures represent important progress towards a more inclusive and responsive system.

However, our analysis of the proposals raises significant concerns about whether the reforms will deliver the systemic culture change needed to make inclusion a reality in practice. In particular, we are concerned by the absence of a clear overarching framework for inclusion, limited accountability mechanisms for health and care services, and proposals that may weaken children's rights to provision and appropriate school placements. We are concerned about the lack of a detailed workforce strategy to ensure sufficient specialist SEND expertise across the system. There are also a number of areas where detail in the proposals is lacking, which we believe will be critical to the success of the reforms.

We have separately submitted a response to the consultation questions on SEND Reforms: Putting children and young people first. This letter instead focuses on issues that are either insufficiently addressed or absent from the consultation, including:

- National principles for inclusion
- Accountability across health and care systems
- Support for children and young people who are out of education

- Inclusive approaches to behaviour and attendance
- Mediation and disagreement resolution
- Family support and wraparound services.
- Changes to tribunal powers
- Transitions into adulthood

We also summarise our positions and recommendations related to key proposals, including Individual Support Plans (ISPs) and Specialist Provision Packages (SPPs).

1. Guiding framework through legislation

Prior to these reforms, there was broad agreement among families, professionals and Government that the SEND system was in crisis, financially unsustainable, and too heavily reliant on late intervention and crisis management. Any new system must therefore shift decisively toward earlier intervention and preventative support.

While the reforms contain positive proposals — including statutory support plans for all children identified with SEND — Kids is concerned that they do not yet provide a sufficiently coherent framework or theory of change for delivering systemic reform. The reforms set out an ambitious vision for a more inclusive system that provides earlier support for more children, but without long-term investment, clear governance structures, clear sequencing and robust accountability, there is a significant risk that delivery will remain inconsistent and fragmented.

To succeed, the reforms must establish a clearer framework for integrated working across education, health and care. Multi-agency partners should operate within shared systems of governance and accountability, enabling services to intervene earlier, coordinate support more effectively and deliver better outcomes for children and young people with SEND.

In conversations with young people, parents and practitioners, we have heard significant scepticism about whether the reforms will lead to meaningful change in practice. Many described a disconnect between the ambition of the proposals and the reality of navigating the current system. Delivering genuine inclusion will require sustained cultural change across education, health and care, alongside clear expectations, sufficient resourcing, and stronger accountability where children's needs and rights are not being met.

It is essential that new legislation provides the necessary framework on how the proposals will work together as a coherent system. This will ensure that children and young people receive timely, coordinated support and that existing rights are protected and strengthened through earlier intervention.

2. Principles of Inclusion

Kids welcome the Government's ambition to make mainstream schools more inclusive for pupils with SEND. Truly inclusive schools and settings benefit *all* children, not just those with SEND. To achieve this ambition, reforms must be guided by **clear principles of inclusion**, rooted in equity of opportunity and adherence to the Equality Act 2010.

The five principles for reform (early, local, fair, effective, shared) offer a strong framework for guiding an inclusive system. We would like to see proposed reforms more clearly mapped against these principles to improve clarity of intent.

The proposed National Inclusion Standards offer a strong opportunity to establish a shared understanding of inclusive education and drive wider cultural change across the system. We are concerned that the National Inclusion Standards have been described as a 'resource bank' for detailing 'approaches for early identification, strengths and needs assessment, and support that can be used in education settings' rather than as a guiding document that sets out core principles and minimum expectations of inclusive practice. While we support investment in research and

evidence-based resources, these Standards must go beyond guidance alone. They must define consistent minimum standards that all education settings are expected to meet and be inspected against to ensure accountability.

The National Inclusion Standards must be co-produced with children, young people, families, educators, specialist professionals, health professionals and voluntary organisations. Schools and settings should be held accountable for implementing these standards through their Inclusion Strategies.

Shared principles for inclusion will support a cultural and attitudinal shift which is needed to deliver an education system which truly values children's individuality and equips them to succeed. Young people have told us that these principles should set the minimum standards for all settings. They should also allow settings the flexibility and autonomy to make decisions on what inclusion looks like for their specific context.

Principles could include:

- **A whole school approach:** Inclusion and SEND must be everyone's responsibility. Every school must be adequately trained and equipped to be truly inclusive in its environment, systems, workforce, policies, and curriculum.
- **Inclusion by design:** Education settings must build inclusion into everything they do including lesson plans, resources, teaching methods, environments, daily practices, and communication approaches. This approach benefits all children and has been shown to improve learning and emotional wellbeing for all students with a range of learning styles and needs.
- **Inclusive leadership teams leading by example:** The senior leadership team must hold responsibility for inclusion and SEND and model what is expected through their own attitudes, actions and behaviours.
- **SEND training for all education/school staff:** All school staff should have good knowledge and understanding of SEND, enabling them to adapt communication, make reasonable adjustments, and tailor their approaches to children with SEND.
- **Flexible approaches across the entire school environment, teaching, systems and policies:** Flexibility in approaches is crucial to being able to meaningfully understand and support the needs of SEND children.
- **Listening to the voice of the child and family:** Young people are the primary experts in their own lived experience, followed by their parents. Young people and families must be listened to, trusted, and involved in every decision that affects them.
- **Multi-agency, collaborative ways of working:** Teachers, senior leaders, health professionals, community services and families must maintain strong relationships.
- **Adapting environments for children with SEND:** Ensuring all school environments are accessible and sensory-friendly.

Proposals take many positive steps toward achieving these principles. For example, Inclusion Strategies for every school could support whole-school approaches, and proposals for professional development will improve expertise across the workforce. Embedding these proposals within a clearly defined set of inclusion principles would strengthen coherence and help ensure consistent implementation across the system.

Key recommendations:

- **Clarify the overarching vision for the reforms**, and how each of the proposals will achieve that vision. Families need to know what will be different for children with SEND now, as the reforms start to take shape, and in 2, 5 and 10 years' time?
- **Ensure that National Inclusion Standards set out national principles for inclusion**, that every setting will be expected to meet, in addition to a resource bank of evidence-based interventions

- **Co-produce the standards with children, young people and families**, as well as expert professionals.

3. Accountability on health and care systems

We strongly support the commitment to improving access to specialist professionals, particularly for children who do not have an EHCP, through services like Experts at Hand. However, current **proposals fail to strengthen accountability on health and care services**, which threatens the implementation and long-term feasibility of the Experts at Hand programme, as well as other forms of multi-agency support.

There are currently significant shortages of specialist professionals; without accountability for Department for Health and Social Care (DHSC) to recruit and fund these professionals, there is a significant risk that education settings will be left to identify and support SEND in isolation, increasing pressure on education staff and risking lower quality provision.

It is crucial that these reforms offer realistic solutions to key barriers in the current system to properly support children with SEND in a holistic, multi-disciplinary way.

We are disappointed to see no mention of holding health and social care equally accountable for SEND provision. We are deeply concerned that any failure to strengthen legislative accountability on health and care will perpetuate many of the challenges seen since 2014, where healthcare systems have failed to secure the specialist workforce needed to meet the needs of all children. The Children and Families Act 2014 was clear that education, health and care agencies must work jointly to provide support for children with SEND but failed to place an equal legal duty on health and care services to do this. As a result, local authority education teams have often carried sole responsibility for the provision set out in EHCPs. Many parents, families and professionals have repeatedly pointed to the lack of accountability on health and care services as a key issue in securing support for children with SEND.

Current proposals restate the importance of joint working and the urgent need for health and care professionals to support children with SEND, and whilst we recognise that the Government plans to ensure more cross-departmental working on SEND, this will remain difficult due to differing operating systems, data, and cultures across education and health and social care. We believe that committing to equal accountability under primary legislation for health and education would catalyse the cultural and structural transformation needed and provide the impetus for implementation of multi-agency approaches to SEND support.

We recognise that good work has taken place nationally to break down barriers to joint working between health and education. More needs to be done to support the alignment of the two departments to support their joint working on SEND – one way of addressing this could be through the establishment of a health and education SEND taskforce.

The voluntary sector provides crucial specialist early interventions such as social and emotional group work sessions (Lego Therapy, emotional literacy support sessions), as well as being able to advise educational settings on inclusive whole school approaches (eg. Sensory circuits). This type of service from the voluntary sector can help to alleviate pressure on allied health professionals such as OTs and, if available to schools and settings locally, can significantly speed up access to key interventions for groups of children with SEND, which may also reduce the need for more intensive therapies or health involvement.

Key recommendations:

- **Strengthen accountability on DHSC, Local Authorities and Integrated Care Boards** to ensure health agencies provide the workforce needed both for Experts at Hand working with children with ISPs and to deliver the support set out in an EHCP.
- **Publish a detailed workforce plan**, developed jointly by DHSC and DfE, outlining plans for recruiting, sustaining and funding the professionals in the Experts at Hand workforce over the long term.
- **DfE and DHSC to publish clear joint commissioning duties** on health, education and care for planning and commissioning services locally for children with SEND.

- **Include voluntary sector professionals in commissioning guidance for the Experts at Hand service** to support early intervention provision in schools (for example social/emotional group interventions such as Lego Therapy).
- **Provide funding for voluntary services to support early interventions** in order reduce pressure on specialist healthcare services
- **Establish a joint SEND health and education taskforce** to support implementation of reforms
- **Expand the remit of the SEND Tribunal** to make binding decisions on health and care.

4. Children out of education

The proposals focus exclusively on children and young people in school. We are concerned that proposals fail to address the significant and growing numbers of children and young people with SEND who are out of education. Children who are unable to access education settings due to their special educational needs are arguably some of the most complex – those whose needs cannot be met in formal education settings and who need highly individualised support to access education. Many children and young people with EOTAS packages are neurodivergent (autism, ADHD or PDA profiles) for whom the rigid demands of school, including social, environmental and sensory demands, have led to burnout and serious mental health issues.

At Kids, we are increasingly supporting children who are not in school, either through elective home education (EHE), or through education other than at school (EOTAS) packages. There are many reasons why children with SEND are not in education or school settings, including:

- Complex mental health problems
- Mainstream and special schools have not met their needs which has led to burnout and trauma
- School-based anxiety, trauma, burnout, and emotionally-based school avoidance (EBSA)
- Parents opting for home education because their child cannot cope with a school setting and are nearing crisis or unable to secure an EOTAS package
- Those who have moved between local authorities and failed to find a suitable school placement
- Children who have been permanently excluded and have been unable to find a suitable placement.

We are concerned that the Children’s Wellbeing & Schools Act introduction of increased powers for local authorities to monitor home education under the ‘Children Not in School’ register, alongside these SEND Reforms, could result in more children being placed in inappropriate settings. We are concerned that local authorities may inappropriately apply new statutory powers to enter family homes, to issue fines or school attendance orders, and to override parental decisions, when it comes to children and young people with SEND. We have heard from parents who are genuinely afraid that they will lose the right to home-educate their children following a home visit from a poorly-trained caseworker, or because they visit on a day where their child is dysregulated and their behaviour is misinterpreted due to lack of knowledge and experience of SEND. This could unjustly lead to decisions or initiation of processes such as safeguarding referrals. It is essential that local authority staff consult any health, education or care professionals involved in supporting the child and family (including from the voluntary sector) where the primary reason for home education is SEND, to gain a better insight into the child’s needs and why they are unable to learn in a traditional education setting. They must also take into consideration parental views and knowledge of their child’s needs.

We support the right of parents to choose where their child should be educated, including in a home environment. These children must be supported under a reformed system, and have equal access to support systems, such as Experts at Hand, as those in schools. These children often rely on voluntary services that provide wraparound support, targeted therapies, opportunities to socialise, and holistic support for the whole family. Final proposals should include ambitions to increase funding for holistic family support programmes that provide the flexibility to meet the

individual needs of families, provide practical assistance as well as emotional support and help to avert families hitting crisis. Family support that is tailored to individual families and is local is key to earlier identification and intervention and keeps families strong, safe and together. These services also play a crucial role in supporting children who are out of school.

Key recommendations:

- **Publish details of how children with SEND who are not in education settings will be supported under the proposed new system**, including through services like Experts At Hand.
- **Protect the legal right to EOTAS packages** for children who cannot access mainstream or special school settings due to severe medical, mental health or special educational needs.
- **Invest in voluntary and family support services** to support children who are not in school. This includes services like Kids' Inclusion Service that work with children, families and schools to reduce risk of permanent exclusion and support re-integration into the school community.
- **Promote whole-school inclusive cultures** where flexibility and reasonable adjustments are embedded to support inclusion and attendance of pupils with SEND. Leaders must ensure that minor issues such as uniform do not become barriers to attendance, reintegration, or wellbeing for pupils with additional needs.

5. Behaviour

We are disappointed that behaviour did not feature more strongly in the SEND Reform consultation document. We were glad to see the White Paper (Every Child Achieving and Thriving) acknowledge the importance of understanding the root causes of behaviours, particularly where it might be associated with SEND. We would like to see **stronger acknowledgement that 'disruptive' behaviour often indicates unmet needs.**

We know that children with SEND are approximately four times more likely to be suspended or permanently excluded from school compared to children without SEND. The most common reason for exclusion and suspension is 'persistent and disruptive behaviour'.¹

Schools need tools, training and guidance to support them with effective and proportionate strategies that prevent the escalation of behaviour issues. Educators need to understand how unmet need can be expressed through behaviour, and how to adapt approaches to consistently meet those needs. The ability of teachers and all school staff to confidently adapt their approaches and communication to SEND students is key to meeting their needs and to reducing behaviours that challenge.

Whole-school approaches are key when adapting policies to meet the needs of pupils with SEND. Pupils, particularly in secondary schools, are often inappropriately sanctioned when staff across the school are unaware of reasonable adjustments that are in place, and policies are applied rigidly. This requires whole-school leadership and communication to ensure children's needs are understood, and agreed adjustments are applied consistently. The National Inclusion Standards should include inclusive approaches to behaviour such as relationship-based or trauma-informed approaches that must be adopted to ensure schools focus on understanding and reflection first in responding to apparent 'disruptive behaviour'. The Standards must also be used to make clear that zero tolerance behaviour policies are not inclusive and should not be used.

¹ Department for Education (2026). [Suspensions and permanent exclusions in England](#).

Key recommendations:

- **Ensure that schools and local authorities make reasonable adjustments** for children with SEND in line with the Equality Act 2010 Public Sector Equality Duty, particularly in regard to their implementation of attendance and behaviour policies.
- **Update the Behaviour in School guidance** to better recognise how underlying SEND may impact a child's ability to understand and meet expectations around behaviour.
- Work with the SEND sector and with young people to **co-produce the revised Behaviour in Schools guidance**.
- **Clearly state that zero-tolerance behaviour policies conflict with aspirations for children with SEND** and from areas of socio-economic disadvantage
- Implement mandatory training and ongoing CPD for teachers and support staff in trauma-informed and relational approaches to behaviour
- Include guidance on approaches to behaviours that challenge in the National Inclusion Standards

6. Attendance

Children with SEND have a right to an education, and should be supported to attend a school where they can thrive. However, **we are concerned about the potential consequences of school-level attendance targets** proposed in *Every Child Achieving and Thriving*.

Strict and inflexible attendance policies, including those that issue fines to families or punish pupils, risk worsening attendance rather than improving it, and unfairly discriminate against and disadvantage children with SEND. Children with SEND must be supported to attend and remain in an education setting appropriate to them, with consideration of barriers that might prevent them meeting attendance targets.

Children with SEND may be absent for any number of approved reasons, including medical or specialist appointments, 'flare ups', anxiety, or mental health needs. Yet we hear that children (and their families) are being inappropriately penalised for absences related to their SEND. While we understand the overall objectives to improve attendance at a national level, **we are concerned that school-level attendance targets will not be implemented with sufficient consideration and adjustments for children with SEND**. The risk is that schools without the right culture/leadership will enforce attendance targets without reasonable adjustments, consideration of wellbeing or without putting in place conditions to support the child/YP to stay in school.

Parents should not be financially penalised for their child's absence. When absences are related to SEND, fines will not address underlying causes of absence and will inappropriately punish families of vulnerable children.

Key recommendations:

- Publish and enforce strict guidance for **schools to make reasonable adjustments on attendance** for pupils with SEND, in line with the Equality Act 2010.
- **Explore the potential consequences** that raising strict attendance targets could have on children with SEND, and mitigate against unfair discrimination against these pupils in the application of attendance targets.
- **End fines** for non-attendance.
- Introduce a new **requirement for schools to produce data on assessments to identify any potential SEND** before they issue suspensions or exclusions and for Ofsted to inspect against this as part of the inclusion criteria
- **Implement mandatory training** and ongoing CPD for teachers and support staff in trauma-informed and relational approaches to behaviour

7. Mediation and disagreement resolution as part of the complaints process

Strong accountability is key to building confidence, particularly among parents, that the reforms are going to work. Parents need to know that if something goes wrong, they have somewhere to turn. We believe that statutory mediation and disagreement resolution services will play important roles in resolving disputes, particularly relating to ISPs.

We support proposals to strengthen mediation services, and introduce professional standards for mediation providers. We know that mediation is highly effective, with high satisfaction (over 92% of participants in Kids' mediation services find the service extremely useful or useful). Mediation results in full or partial resolution in over 95% of cases, and approximately 80% of cases do not progress to tribunal (those that do progress are often simpler, with some issues resolved at mediation).² This represents significant cost savings for the system, not to mention reducing the emotional and financial toll on families. When all parties meaningfully engage with the process, mediation is non-adversarial and provides an opportunity to build trust, leading to improved communication and relationships with families.

To strengthen trust in mediation services, we support calls for formal regulation of the profession. This would ensure that every provider of mediation is duty bound by enforceable professional standards, rather than reliance on voluntary good practice, as it is now.

We recognise that in many cases, LAs do not meet their statutory duties to attend mediation within a 30-day window. While national data is limited, in Kids' experience with 40 Local Authorities, on average only around 30% of mediation sessions take place within the 30-day timescale. We therefore support strengthening accountability within mediation, particularly ensuring that LAs meet their statutory duties. The DfE must have a mechanism to address where LA's are not acting in good faith, meeting duties, or sending decision makers to mediation.

Disagreement resolution

Mediation is currently available only in relation to appealable issues, for example decisions to assess for an EHCP, decisions to issue or amend an EHCP, or disagreement about the needs or provision in an EHCP. For any other types of disagreement, families and young people can access Disagreement Resolution Services (DRS).

Kids believes that DRS will play an important role in the early resolution of issues relating to ISPs. Despite being a statutory service, awareness of DRS is low and it is underutilised. DRS can be highly effective for resolving concerns and rebuilding dialogue and trust between families and schools. It could be a key tool for early resolution of concerns about ISPs, and should be promoted as part of the complaint resolution and accountability process.

Family support and early resolution

Kids believes that the reformed SEND system should prioritise strengthening support at an earlier stage, with the aim of reducing reliance on disagreement resolution, mediation and tribunals. This should include providing all families with access to Independent Supporters or Navigators as part of the statutory information, advice, and support offer.

Providing parents with early access to an independent, impartial source of support—someone who can explain their rights, guide them through the ISP process, support during the drafting of ISPs, and set clear expectations at each stage—would help address issues before they escalate. This proactive intervention is likely to reduce instances of complaints, appeals, and mediation, while strengthening trust and collaboration between families, schools, and LAs. Strong family support services must be available from age 0-25, with specialist services available in the early years and post-16.

² Department for Education (June 2025). [Education, health and care plans - Explore education statistics](#) (accessed 20 April 2026).

Key recommendations:

- **Invest in and promote Disagreement Resolution Services** to address concerns about ISPs mutually and as early as possible
- **Strengthen accountability on local authorities** to meet statutory requirements related to participation in mediation
- **Clarify the remit for mediation services under the proposed reforms**, particularly in relation to ISPs and SPPs.
- **Introduce Navigators or Independent Supporters** as part of statutory Information and Advice Services, which can provide advocacy and casework services, in addition to the Best Start Inclusion Practitioner (BSIP) in every Family Hub.
- **Embed family support at the heart of SEND reform**, explicitly recognising it in SEND legislation, policy, and implementation plans, including ongoing navigation, advocacy, information, and relational support for families.
- **Recognise the voluntary sector as a strategic partner** within local SEND systems to support innovative, family-centred early intervention services.

8. Tribunals and decisions on placement

We are very concerned about the removal of the SEND Tribunal's power to name a school placement, and instead only require LAs to reconsider their decision. There is no guarantee that LAs will not make the same decision again. This is likely to add delays to the appeals process or result in repeated appeals from families – meaning a child will spend more time in an inappropriate setting or out of school. We believe that the Tribunal is a critical accountability mechanism. Reducing its remit without replacing its accountability function risks significant harm.

The consequences of removing the power to make binding decisions on school placement likely include:

- More EOTAS packages and parents deciding to home educate if children are forced into settings that cannot meet their needs.
- LAs will have to direct schools to take certain students, which may put strain on relationships between schools, LAs and parents.
- Increased exclusions where the named setting is inappropriate. We have anecdotal evidence that children with SEMH needs transferring between year 6 and year 7, where the LA directed a mainstream school to take them, are more likely to be excluded.
- Extra strain and pressure on those local mainstream schools who are already inclusive as they become the 'go to' schools for children with SEND.
- Eroded family trust in cases where the LA has directed a school to take their child, particularly when it wasn't a school the family wanted.

Furthermore, we are aware that EHCPs will be changing in the new system, though details of these changes have been limited. We understand that under the new system, the EHCP section pertaining to education provision (Section F) is likely to only contain details of the Specialist Provision Package that has been agreed for the child, while their ISP will detail the day-to-day provision provided by the setting. In practice, this will limit the amount of provision within an EHCP that is appealable at the SEND Tribunal, as the details of a child's provision will be captured in an ISP. We would like clarity on how families' rights to appeal to tribunal will be affected if the appealable content in an EHCP has been reduced.

We recommend that the Government:

- **Maintain the Tribunal's power to name a placement.** At the very least:
 - The Tribunal should be able to make binding decisions on the type of placement (mainstream or special) OR
 - The Tribunal should be able to name a placement from the LA's list of schools, provided there is sufficient evidence that the school can meet the child's needs.

- **Strengthen Tribunal powers** to make binding decisions on health and care.
- **Strengthen guidance to LAs to prioritise the views of parents and young people** in making decisions about school placement.

9. Transitions into adulthood

For too many young people with special educational needs and disabilities (SEND), the transition from childhood to adulthood is like falling off a cliff edge. They are too often left without the support, skills and connections they need to live good adult lives. And the more complex the needs, the steeper the cliff edge. Systemic reform is essential and urgent.

We are concerned that the Government's plans for SEND reform do not adequately address how the new SEND system will support young people at this crucial stage of transition. Not only do young people frequently tell us that this a period of life they are most worried about, we also know that this is the transition stage where young people face widespread and significant support gaps, including major gaps between child and adult services with some children's services ending at age 16 and adult services not starting until age 18, and many young people with ongoing health or care needs being abruptly discharged from children's services then facing long waits for adult services or even being told they do not meet criteria for adult services. There is also a significant lack of support to enable young people with SEND to live independently including lack of support with independent living skills, to find and maintain employment, financial management, and housing.

For young people with SEND, transition planning often isn't happening at all, is inconsistent, or just not good enough. Even for those young people with an Education, Health and Care Plan (EHCP), transition planning is patchy, frequently initiated by the family or voluntary sector professionals and very often happens far too late.

Ending the Cliff Edge – a new national partnership focused on improving the journey into adulthood for young disabled people aims to build a support system fit for the future which addresses the stark inequality of opportunity, access and outcome that young disabled people face, cross sector collaboration is crucial. Kids two year 'Ending the cliff edge' programme will build a coalition of all those with a stake in the future of transitions support – young people with SEND, their families, support organisations and providers to ensure the voice of those with lived experience of a broken system is central to shaping it's replacement.

Key recommendations:

- **Begin transition planning at age 14**, ensuring it is relationship-based, and centred on the young person's voice, with children's services working in partnership with adult services to eliminate gaps in support.
- **Provide an offer of independent advocacy** in every local area for young people and families which includes a named Transitions Coordinator or Navigator for each young person/family.
- **Name designated government leads for transitions** from the Department for Education, the Department for Health and Social Care, the Ministry of Housing, Communities and Local Government, and the Department for Work and Pensions to publish a national, cross-departmental transition plan and develop national standards for transition support and practice, including around data sharing, to avoid the need for young people and their families to repeat information multiple times.
- **Include funding for local authorities, meaningful compliance mechanisms and national standards** in the national transition plan.

- Commissioners of local children and adult services should **ensure that formal mechanisms are established for meaningful participation of young people** with SEND and families to ensure all transition support is co-produced.
- **Engage with Kids’ newly forming National Transitions Alliance** to establish best practice in post-16 transitions.

10. Individual Support Plans (ISP)

We support the introduction of a statutory duty on schools to provide ISPs for all children with SEND. This is a positive step that should provide earlier support and identification of needs for more children, particularly those in the current ‘SEN Support’ category.

The proposals lack detail on whether schools will have **an enforceable duty to deliver** the support detailed in an ISP.

Government must legislate to include a duty to deliver the provision outlined in ISPs – without this, they are at risk of failing (much like current SEN Support plans).

ISPs must be underpinned by an individual needs assessment carried out by relevant education professionals and relevant specialists, particularly where the school has followed the graduated approach and not seen expected progress at the Universal layer. Teachers do not have the capacity or expertise to properly assess SEND needs – nor should they be expected to. Specialist professionals **MUST** be involved in assessing children for ISPs, particularly at Targeted Plus and Specialist levels.

We are concerned that there is no formal, binding recourse to appeal the contents or delivery of an ISP. Whilst we welcome the changes to school complaints procedures for lower level issues, we are concerned this would not provide a neutral or fair complaints process for more serious disputes around content or delivery of provision. There is also a risk of negatively affecting parent/school relationships and threatening to use up school and governor time on administrative tasks related to complaints. School panels will, by their very nature, be compromised in terms of being the party responsible for drawing up and delivering the support outlined in ISPs. There must be a legally binding route for families to address concerns with ISPs – including decisions not to issue or update, or concerns about quality or implementation. We recommend that the Local Government and Social Care Ombudsman is granted the power to hear complaints on ISPs and that they need to be able to investigate actions and decisions by schools around the support for all children with SEND, not just those with EHCPs.

ISPs must be regularly reviewed (minimum of termly, or whenever concerns are raised that a child is not progressing, or where there is a significant change in need, for example following a specialist assessment). Families must be involved in and able to trigger these reviews, and any changes must be clearly communicated with families, to build trust and common understanding.

To support evidence-based movement across the layers of support, ISPs must include achievable objectives that are:

- **Needs-based:** based on an individual assessment of the child’s current abilities, and what they should reasonably achieve with appropriate interventions
- **Measurable:** Realistic targets for desired progress, based on ongoing diagnostic assessments
- **Time-bound:** Progress is reviewed at defined intervals throughout the year
- **Monitored** by the SENCo (or equivalent) with input from specialists to ensure interventions are appropriate to underlying needs

Where objectives have not been reached within the defined time, a review of the plan must be triggered. The review must involve the SENCo (or equivalent professional), parents, young person, and any other professionals from health, education and care who are involved in supporting that child (ie. voluntary sector therapist). If the plan was fully implemented in a reasonable timeframe, children should be escalated to the appropriate tiers of support and given access to additional specialist input.

Key recommendations:

- **Government must include, in primary legislation, a duty on education settings to deliver the support detailed in ISP.** A legal duty to produce an ISP will not ensure that the support in the ISP is delivered.
- **Provide a legal route to redress for families on ISPs,** such as the Local Government and Social Care Ombudsman or SEND tribunal, with clear decision-making powers to ensure the support in an ISP is delivered, as is currently the case for those with EHCPs.
- **Commit to a multi-agency assessment process for determining ISPs** and clarify which professionals will lead the assessments. Guidance must be provided detailing how specialist professionals will be involved, for all levels of support.
- **Guarantee that children will be individually assessed to develop a targeted and needs-based ISP.** Specialist professionals play a vital role in identifying needs and ensuring support is appropriate to the child, and must continue to be involved in ISP assessments.

11. Specialist Provision Packages

We are concerned that the introduction of SPPs marks a regressive shift from a needs-led system toward one driven by resources. SPPs will group children with the most complex needs according to generic categories and pre-determined (and costed) provision. In practice, this means that instead of an EHC assessment looking at a child's needs to decide the level of support that they need to access education, the assessment will decide whether the child needs a pre-determined package. This represents a loss of a child's right to support tailored to their individual and unique needs.

Children with complex needs are unlikely to have their needs met by standardised packages. Children within a single package will have vastly different needs and will require vastly different types of support. Support must remain needs-led otherwise the flexibility needed to adapt provision to the child will be lost and needs will not be met. SPPs must be designed with flexibility to meet the needs of all children, including those with the most complex needs, who require significantly more provision than others in their package.

It is unclear how settings will be expected to meet the needs of children whose support crosses multiple packages or whose needs are not easily categorised into any of the current seven proposed packages. Children with SEND are all different, including those with similar conditions or needs.

We recommend that SPPs are used as a commissioning framework only, setting out what should be available in every area, and should not be issued to individual children. Individual provision should be based on detailed specialist assessments and captured in an EHCP which remains legally enforceable. This would reduce complexity for families, ensure that all provision remains on one document (the EHCP), retain clarity as to who delivers the provision, and maintain parents' right to appeal to the SEND Tribunal regarding any issues with content.

Information in the proposals on SPPs was minimal, failing to clearly outline their intention or how they will work in practice. Young people, parents, families and all in the SEND sector desperately need clarity on SPPs. At the moment, it is easy to say what we don't want (ie. standardised packages without individually tailored support), but it is difficult to recommend how to strengthen the proposal without further detail.

Key recommendations:

- **SPPs should only be used as a commissioning tool to ensure consistency of local provision** across the country. SPPs should not be applied to individual children.
- **Retain individual assessment of a child's needs** to determine what support is needed for a child or young person across education, health and care.
- **Clarify the intent behind SPPs,** and how the Government expects that nationally-set packages will better meet children's unique needs.

- **Clarify how the combination of ISPs, EHCPs and SPPs will work**, and whether they will simplify processes for education settings and families.